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RESOLUTION NO. 05-624

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON COVINGTON FROM THE NORTH LINE OF 29TH ST. NORTH TO THE EAST LINE OF LOT 30, BLOCK 1, FONTANA 2ND ADDITION; SHEFFORD FROM THE EAST LINE OF LOT 30, BLOCK 1, TO THE EAST LINE OF COVINGTON; COVINGTON COURT TO AND INCLUDING THE CUL-DE-SAC; FONTANA CIRCLE TO AND INCLUDING THE CUL-DE-SAC; FONTANA COURT TO AND INCLUDING THE CUL-DE-SAC; AND LONDON CIRCLE TO AND INCLUDING THE CUL-DE-SAC (EAST OF 119TH ST. WEST, NORTH OF 29TH ST. NORTH) 472-84086 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT ON COVINGTON FROM THE NORTH LINE OF 29TH ST. NORTH TO THE EAST LINE OF LOT 30, BLOCK 1, FONTANA 2ND ADDITION; SHEFFORD FROM THE EAST LINE OF LOT 30, BLOCK 1, TO THE EAST LINE OF COVINGTON; COVINGTON COURT TO AND INCLUDING THE CUL-DE-SAC; FONTANA CIRCLE TO AND INCLUDING THE CUL-DE-SAC; FONTANA COURT TO AND INCLUDING THE CUL-DE-SAC; AND LONDON CIRCLE TO AND INCLUDING THE CUL-DE-SAC (EAST OF 119TH ST. WEST, NORTH OF 29TH ST. NORTH) 472-84086 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 04-502 adopted on September 14, 2004 is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct PAVEMENT ON Covington from the north line of 29th St. North to the east line of Lot 30, Block 1, Fontana 2nd Addition; Shefford from the east line of Lot 30, Block 1, to the east line of Covington; Covington Court to and including the cul-de-sac; Fontana Circle to and including the cul-de-sac; Fontana Court to and including the cul-de-sac; and Landon Circle to and including the cul-de-sac (east of 119th St. West, north of 29th St. North) 472-84086.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to **One Million Sixty-Four Thousand Three Hundred Thousand Dollars (\$1,064,300)** exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **November 1, 2005** exclusive of the costs of

temporary financing

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

FONTANA ADDITION

Lots 1 through 47 and 54 through 68, Block 1

Lots 1 through 25, Block 2

Lots 1 through 55, Block 3

Lots 1 through 26, Block 4

Lots 1 through 12, Block 5

Lots 1 through 19, Block 7

FONTANA 2ND ADDITION

Lots 1 through 36, Block 1

Lots 1 through 8, Block 2

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Lots 1 through 18, Block 1; Lots 49 through 55, Block 3, FONTANA ADDITION, shall each pay 7,800/1,064,300 of the total cost; Lots 19 through 22 and Lots 26 through 40, Block 1, FONTANA ADDITION shall each pay 4,700/1,064,300 of the total cost; Lots 23 through 25, Block 1, FONTANA ADDITION, shall each pay 7,500/1,064,300 of the total cost; Lots 41 through 47, Block 1, FONTANA ADDITION shall each pay 1,100/1,064,300 of the total cost; Lots 54 through 68, Block 1, and Lots 1 through 25, Block 2, FONTANA ADDITION, shall each pay 2,340/1,064,300 of the total costs; Lots 1 through 23, Block 3, and Lots 1 through 8, and Lots 23 through 26, Block 4, FONTANA ADDITION, shall each pay 800/1,064,300 of the total costs; Lots 24 through 48, Block 3, and Lots 1 through 19, Block 7, FONTANA ADDITION, shall each pay 1,350/1,064,300 of the total cost; Lots 9 through 22, Block 4, FONTANA ADDITION, shall each pay 600/1,064,300 of the total costs; Lots 1 through 12, Block 5, FONTANA ADDITION, shall each pay 1,600/1,064,300 of the total cost; Lots 1 through 36, Block 1, and Lots 1 through 8, Block 2, FONTANA 2ND ADDITION, shall each pay 12,300/1,064,300 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment of said tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against

those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, November 22, 2005.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)